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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,816	04/05/2004	Masanori Honda	MEI-103	2605

7590 01/07/2008  
MATTINGLY, STANGER & MALUR, P.C.  
SUITE 370  
1800 DIAGONAL ROAD  
ALEXANDRIA, VA 22314

EXAMINER	
VO, LILIAN	

ART UNIT	PAPER NUMBER
2195	

MAIL DATE	DELIVERY MODE
01/07/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/816,816

Applicant(s)

HONDA ET AL.

Examiner

Lilian Vo

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u>                                    | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :4/5/04, 4/28/05, 6/3/05, 8/29/07.

### DETAILED ACTION

1. Claims 1 – 20 are pending.

#### *Priority*

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### *Claim Objections*

3. **Claims 1, 6, 11 and 16** are objected to because they recite “an user” which examiner considers that a typographical error. Appropriate correction is required.

#### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 4, 9, 14 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Claim 4, 9, 14 and 19** recite the limitation "the setting file". There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Neil et al. (US 6,330,710, hereinafter O'Neil).

8. Regarding **claim 1**, O'Neil discloses a device for creating a job network configuration file that prescribes an execution procedure of a job in an information processing apparatus, the device comprising:

a template input unit configured to receive a template file including an undefined variable, the template file being prepared in connection with the job network configuration file (col. 7 lines 24 – 43);

a definition file input unit configured to receive a definition file that establishes an association between the variable used in the template file and setting data that is input by an user in connection with a setting of the job network configuration file (col. 5 lines 50 - 63, col. 7 lines 35 – 53);

a setting data input unit configured to receive input of the setting data from the user (col. 5 lines 50 - 63, col. 7 lines 35 – 53); and

a creation processing unit configured to create the job network configuration file in accordance with the definition file and the template file based on the setting data (col. 7 lines 35 – 63, col. 6 lines 10 - 40).

9. Regarding **claim 2**, O'Neil discloses a device according to claim 1, wherein the definition file includes description data that describes contents of the setting data, and wherein the setting data input unit receives the input interactively using the description data (col. 4 lines 53 – 65, col. 5 lines 50 – 63).

10. Regarding **claim 3**, O'Neil discloses a device according to claim 1, wherein the definition file includes information specifying one or more of a limit value for the variable, order of input of the variable, a condition governing display of a prompt for user input, and a condition governing automatic setting of the variable, and wherein the setting data input unit performs the input based on the specifying information (col. 4 lines 53 – 65).

11. Regarding **claim 4**, O'Neil discloses a device according to claim 1, wherein the setting data input unit receives from the user specification of a setting file that includes the setting data and inputs the setting data from the setting the file (col. 5 lines 50 – 63).

12. Regarding **claim 5**, O'Neil discloses a device according to claim 4, wherein the definition file includes description data that describes contents of the setting data, and wherein the device further comprises an assist file creating unit configured to create as a template for

the setting file an assist file that includes the description data and data that indicates the user locations at which the setting data is to be entered (col. 4 lines 53 – 65, col. 5 lines 50 – 62).

13. **Claims 6 – 20** are rejected on the same ground as stated in claims 1 – 5 above.

### *Conclusion*

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lilian Vo whose telephone number is 571-272-3774. The examiner can normally be reached on Thursday 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner  
Art Unit 2195

January 3, 2008



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